LAW OFFICE OF **DENNIS M. GRZEZINSKI** ENVIRONMENTAL LAW AND CIVIL LITIGATION

June 12, 2003 via email: jeff.kitsembel@psc.state.wi.us
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Jeffery Kitsembel
Public Service Commission
P.O. Box 7854
Madison, WI 53707-7854

Public Service Commission Docket: 05-CE-130

Dear Mr. Kitsembel:

The following comments on the Draft Environmental Impact Statement (DEIS) for the Elm Road Generating Station (ERGS) are submitted on behalf of the Sierra Club, Southeast Gateway Group (SCSSG). SCSSG has 726 active members in Racine and Kenosha Counties; the Sierra Club's Great Waters Group, which includes Milwaukee and Waukesha Counties has 3,107 active members. These members are in the service area for WEEnergy (WE), and will bear the capital costs for construction and the rate-payer costs for operation of the proposed facilities, and they are in the emission plume shadow from WE facilities, meaning their families' health will be impacted from the emissions from the proposed facilities.

SCSSG's most basic comment on the DEIS is that it is inadequate and should be redone and published for public comment, before a FEIS is prepared. At the most fundamental level, the DEIS is inadequate because WE's application is deficient and fails to provide the data, information and analyses that are necessary to support what is legally required under the Wisconsin Environmental Policy Act (WEPA): a reasonably complete evaluation of the impacts of the proposed project on the environment, and of reasonable alternatives to the proposed project.

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SCSSG has reached the conclusion that the DEIS is inadequate and must be redone for the following reasons. The DEIS:

1. explicitly acknowledges that consideration of a number of important subjects are being deferred to the FEIS, or to other proceedings, or are incomplete and will need to be supplemented (e.g., the feasibility of moving the amount of soil required in the construction timeframe proposed and the impacts of soil excavation and hauling, p. xxviii, 175-176; leases for units subsequent to the first unit, p. 14; a number of specific items that could impact WE's original cost estimate, p. 15; air quality analysis and air modeling using actual stack heights, p. 133, 146, 163, 164, 167; estimated hazardous air pollutants, p. 172-175; analysis of an integrated resource alternative, p. 83; design of the offshore water intake structure, p. 203-206; design of the water discharge structure, p. 207),
2. fails to consider alternative sites, and
3. fails to reasonably consider alternative fuel sources.

INADEQUACY OF THE ALTERNATIVES ANALYSIS

FAILURE TO DISCUSS ALTERNATIVE SITES

Reflecting the fundamental inadequacy of WE's CPCN application, the DEIS fails to identify or discuss alternative sites. This contradicts the Commission's legal requirements for conducting siting reviews and violates WEPA as well. The Commission has long held that alternative sites or routes must be considered that differ significantly in the type of resources impacted and the degree of impact. That is necessary to properly balance the impacts on the human environment against economic considerations.

The significance of the agency's failure to comply with the legal requirement to consider alternatives sites is illustrated by the severe drawbacks of the Oak Creek Power Plant site. Among these drawbacks are:

X Wisconsin Energies already operates four large coal-fired generating units at this site. As a result, the neighborhoods surrounding the site are already burdened with poor air quality from the existing power plant. Locating new generating units at the site exacerbates this problem and will result in unacceptable air quality in the area.

Alternative sites not burdened with the adverse impacts of existing coal-fired generating units would not suffer this problem.

X The Oak Creek Site is located in a severe ozone nonattainment area that encompasses the major population centers in the State. Locating the new source in this area maximizes the number of people who will be exposed to project-related emissions and inappropriately concentrates emissions in an area of the State that already has poor air quality.

X The Oak Creek Site will require enormous transmission reinforcement costs. At this point, the most recent available information is that expanding the transmission system to connect the new generating units to the power grid will cost about a quarter of a billion dollars. Some or all of that cost may be avoided if the new generating units were sited elsewhere. It is appropriate and necessary to evaluate the full cost of WE's proposal, including the required transmission expansion, and to compare that to alternatives, including alternative sites. The DEIS does not present this analysis.

X The economics of any proposal for a new power plant vary with the site location and characteristics. The DEIS recognizes the environmental mitigation cost uncertainties in its bulleted list on page 15. The Oak Creek Site is burdened with the need – which may be entirely unnecessary at an alternative site – to remove a portion of the bluff, tunnel the water intake through as much as 9,000 feet of bedrock, and construct an underpass on a local road. It is also relatively remote from the nearest interstate natural gas pipeline.

> These adverse environmental and cost impacts could be avoided at alternative sites, and the DEIS needs to undertake that analysis. To recognize the site-related uncertainties and that site related costs will vary with the site, but not consider alternatives to the proposed site is inconsistent and inappropriate from both an economic and environmental point of view.

Given the impact that site location has on the cost and feasibility of the facility (e.g., environmental mitigation), cost and feasibility of alternatives (e.g., wind farm wouldn't work at Elm Road site), cost and feasibility of the project (e.g., transmission requirements to interconnect), and the types and magnitude of environmental impacts, a DEIS that does not meaningfully address viable alternative sites is not adequate. It is also inconsistent with the long-ago established Commission principle that all sites must be equally viable – that is, sufficient data must have been developed on the alternative sites to allow any of them to be licensed and implemented within the date needed. This requirement arose when the Commission rightly became concerned that the utilities were preparing dummy alternatives to meet filing requirements, but that were not licensable. Staff's comment that the "cost estimates for any necessary transmission system expansion elsewhere in the state to accommodate specific projects other than ERGS are presently not available" (DEIS page 78) is evidence that the Commission has violated its own principle.

It is important to emphasize that the failure to include an alternative site analysis in the DEIS is not merely a technical violation of WEPA requirements. It is a fundamental defect that makes it impossible for the agencies to perform the careful environmental review that this project requires, because the agencies do not have the data they need to evaluate the relative environmental, social and economic costs of locating the new electric generation that is purportedly needed at the Oak Creek site rather than at

other sites in the State that are available for this facility. This gaping hole in the DEIS stems largely from WE's failure to include a proper alternatives analysis in its application for a Certificate of Public Convenience and Necessity. Accordingly, the Commission should reconsider its earlier decision to certify WE's application as complete and instruct the company to submit a new application that complies with the legal requirement to present a discussion of alternative sites. A new draft EIS should then be prepared that corrects the deficiencies in the current draft of that document.

On page 97 the DEIS indicated that "the ability to locate all three proposed units at one site" was an important consideration in WE's final site selection. Why should that be important, especially to the extent of eliminating potentially viable sites as indicated on page 98? Putting three large units on a single site concentrates the power generation making it more susceptible to terrorist activity and concentrates the environmental burden. Requiring all three units to be located on one site might allow facilities to be shared, thus reducing cost. According to the DEIS, shared facilities in the third unit cost $31 million (DEIS, page 14). However, the incremental cost of transmission system expansion required by adding the third unit 3 is $102 million (DEIS, page 18) or $151 million (DEIS, page 131). On the basis of transmission system expansion alone, the economics of adding the third unit are unfavorable relative to splitting up the units among two sites. The DEIS indicates that WE eliminated at least one site because of its criterion that the sites could accommodate three units. That criterion appears unjustified, and inappropriately rejects not only viable but likely less expensive and less environmentally damaging sites.

Similarly, on page 95, the DEIS indicates that WE rejected the Haven site because it cooling towers would be required due to its distance (0.25 miles) away from Lake Michigan cooling water. This is an inadequate basis for rejecting the site for two reasons. First, it has not yet been determined whether once through cooling will be

approved at the proposed ERGS site. Second, the distance of 0.25 miles is rather trivial compared to the "water intake being tunneled 3,500 to 9,000 feet into bedrock" at the ERGS (DEIS, page 15). The fact that ERGS might require a 1.7 mile water intake and still use once through cooling is inconsistent with rejecting the Haven site because it could not use once through cooling because it is a quarter mile inland. Again, it appears that arbitrary reasons were used to eliminate potentially viable and preferable sites. Is that in the public interest, and can the Commission make the statutory findings required to approve the project?

INADEQUATE ANALYSIS OF ENERGY EFFICIENCY ALTERNATIVES

The DEIS discusses conservation and energy efficiency as an alternative at pages 54-58. Review of this discussion demonstrates that the DEIS does not adequate address this important issue, which the Legislature has designated in Section 196.025 and Section 1.12(4), Stats., as the State's highest priority for achieving energy needs. All that can be learned from the DEIS is that the potential role of conservation and energy efficiency in meeting the energy needs identified in the DEIS is great, but that the analyses by both the applicant and staff are likely to underestimate the potential savings. The applicant considered only residential efficiency opportunities. Staff's analysis is outdated, and does not reflect changes in the market, in technologies, and in applicable laws since 1995; and it did not adequately address industrial energy efficiency potential. As a result, on its face, the DEIS fails to provide the Commission, the public, or other interested parties any reasonable basis on which to evaluate the extent to which conservation and energy efficiency can and should substitute for the proposed project.

INADEQUATE DISCUSSION OF RENEWABLES ALTERNATIVES

It is noteworthy that staff's EGEAS analyses demonstrate the cost-effectiveness of wind generation, even with an extremely conservative 20% credit to reserve margin. The analyses should be redone using more representative margins, such as those actually experienced in Minnesota (21-29%), as indicated on page 66.

NO ANALYSIS OF INTEGRATED RESOURCE ALTERNATIVE

On page 83, the DEIS promises that the FEIS will include an integrated resource alternative which includes renewables, energy efficiency, electric transmission improvements, and possibly other smaller fossil-fueled facilities. This analysis should have been presented in the DEIS, and subjected to public comment, prior to preparation of an FEIS. This is another reason the DEIS should be redone and republished for public comment, before an FEIS is issued. The analysis of integrated resource alternatives should consider the potential impact on natural gas availability and pricing of the proposed Alaska north slope gas pipeline.

MORE SPECIFIC COMMENTS ON THE DEIS

AIR EMISSIONS

The DEIS devotes some 43 pages to a discussion of the air emissions of the proposed project. The DEIS reports WEPCO's analysis and estimates of air emissions. It also indicates that the DNR has yet to do its own analysis. Thus the DEIS appears to merely reflect utility assertions, which may or may not prove to be consistent with the results of the yet-to-be-completed DNR analysis. As such, the DEIS does not provide an independent disclosure of the impacts of the ERGS on air quality.

Moreover, the DEIS fails to disclose the potential impacts of the plant on the public. It provides no way for the reader to correlate the air emissions to impacts on human health, mortality, materials damage, vegetation damage, and so on. A reader unfamiliar with the impacts of a pollutant (e.g., SO2 or beryllium) on humans, materials,

flora and fauna cannot determine from the DEIS the likely impacts of the proposed project. Discussions of the impacts of air pollutants (including HAPS) must be included in the EIS to satisfy the requirement that the EIS fully disclose the potential impacts to the human environment. We note, for example, that the U.S. EPA has done studies which estimate the health and mortality impacts of power plants. Advocacy groups have also done such studies. An Environmental Impact Study should not do less.

The DEIS should be redone and republished, including an evaluation and analysis of the health impacts of the air pollution from the proposed coal-fired plants (on a stand-alone basis, and on a cumulative basis in addition to emissions from the existing Oak Creek coal-fired units). If the cumulative impacts exceed health-based standards, WEPCO should be required to locate its proposed new units elsewhere, use a less polluting fuel, or implement considerably more effective pollution reduction and control measures. And, regardless of whether those standards are met, the Commission, the public, and other interested parties should be informed regarding these impacts in a new DEIS.

A new DEIS should include analysis on the significant impact area (SIA) of the proposed project, and should include modeling of an interactive source analysis with overlapping plants' SIAs, especially in the case of southerly winds, and northerly winds, when emission plumes from all of the plants sited on or near the Lake Michigan lakefront line up and overlap.

In addition, there is a complete failure in the DEIS to address the severe adverse health impacts of fine particulates ($PM_{2.5}$), for which National Ambient Air Quality Standards were set in 1997. $PM_{2.5}$ causes premature death, exacerbation of respiratory and cardiovascular disease, decreased lung function, increased respiratory symptoms from preexisting pulmonary disease, and aggravation of symptoms associated with asthma, and cardiopulmonary and lung cancer mortality. The DEIS analyzes only

compliance with the PM_{10} standard, which EPA concluded in 1997 was inadequate to protect human health. The DEIS ought to have modeled whether the proposed project, together with the existing coal-fired plants would comply with the $PM_{2.5}$ standards.

Nor does the DEIS contain any assessment of the adverse health impacts of the more than 203 tons of hazardous air pollutants per year that will be emitted from the proposed plants, according to page 173. What is the cumulative impact of these emissions, together with those emitted by the existing units, in terms of both cancer and noncancer impacts?

On page 170, the DEIS indicates that the emissions of hazardous air pollutants from the ERGS are exempt from DNR requirements because coal is a virgin fuel. This does not satisfy the requirement that an EIS fully disclose the environmental impacts of a proposed action. In fact, the emission rates of a number of hazardous air pollutants exceed the emission levels of significance specified in Chapter NR 445. Thus, while the quantities emitted are significant enough to be of concern to the environment, they are exempted from regulation because of a definition. That does not exempt the EIS from disclosing their potential impacts.

Table 7-29 on page 150 shows WEPCO's estimates of the HAP emissions. First, is the method of calculation of the HAP emissions acceptable to the air regulatory agencies? The method of estimation yields different results from the EPA AP-42 estimation method. In most cases, the application of AP-42 yields higher estimates of HAP emissions. Second, it would be useful to add Chapter 445 thresholds of significance information for each pollutant (assuming that it was not exempted as a virgin fuel). That would provide much-needed context as to how much the public should be concerned with emissions of a few to several thousand pounds of specific HAPS. Third, it should be clarified whether these HAP emission levels will be permit criteria, enforceable limits, or just expected emissions.

Mercury Removal Efficiency

Table 7-2 on page 140 is misleading. It discusses the differences in mercury removal efficiency between bituminous and sub-bituminous coals, but does not reflect the fact that bituminous coal starts out with significantly more mercury than sub-bituminous coals. On average, Pennsylvania bituminous coal contains approximately four times the mercury that Wyoming sub-bituminous coal does. In fact, this difference between bituminous and sub-bituminous coals is never mentioned in the DEIS. Since one of the reasons given for selecting bituminous coal is the higher mercury removal efficiency, it is misleading not to also include the additional facts of the comparative mercury content.

Also, Table 7-2 has some figures in it which do not seem to make sense in light of the text right below the table. The table shows a mercury collection efficiency for sub-bituminous coal of 72% for a fabric filter baghouse, but only 25% for a combination of dry FGD scrubber and fabric filter baghouse. Since the text states that FGD reduces the gas temperature and leads to better opportunities to collect mercury, it would seem that the FGD/baghouse combination should have better collection efficiency than the baghouse alone, not worse. The source of the information contained in Table 7-2 should be indicated. Are the mercury control efficiencies accepted by EPA and/or DNR?

Inconsistency in Expected Project Emissions

On page 155 Table 7-9 lists maximum emissions from the various parts of the Elm Road plant. A number of the potential emissions shown in this table are not consistent with other numbers which We Energies has released. For example, the SO2 emissions shown for the two SCPC units are not consistent with the SO2 emission rate and plant heat rate which the Company has been touting. Also, the potential emissions shown in Table 7-9 are significantly higher than what We Energies has been touting to

the public. If, in fact, the emissions shown in Table 7-9 are those which the plant will be legally held to, it would be informative to the public for the staff to make clear that the numbers being touted by the Company are not those for which they are asking permit approval.

Recent Consent Decree with US EPA

While we cannot expect the DEIS to reflect the recent Consent Decree between WE and the U.S. EPA (since it came out about the same time as the DEIS), we hope that the staff will compare the emissions from the proposed new Elm Road plants, touted by the company as the ultimate in emission control technologies, with the emission rates which the Company has agreed to meet at its existing units at Oak Creek and Pleasant Prairie. It would be useful to point out to the public that the emission rates at the new plants will be significantly higher than the emissions rates at the older plants.

Greenhouse Gases

On page 170, the DEIS discusses greenhouse gases. There seems to be a serious problem with the calculations of CO2 equivalent emissions from Elm Road. The DEIS says that the CO2 equivalent emissions of greenhouse gases from Elm Road will be 1,060,000 tons per year at maximum utilization. This seems too low by more than an order of magnitude. The Elm Road plant will be 1,830 MW. At full utilization it would generate (1830 MW) times (8760 hours per year) = 16 million MWH per year. Coal-fired power plants emit approximately 200 lbs of CO2 per million BTUs. With a heat rate of 8,800 BTUs per kWh, the CO2 emission rate is about 1,760 lbs per MWH, or 0.88 tons per MWH. At 0.88 tons per MWH and 16 million MWH per year, the CO2 emissions would be 14 million tons per year, over 13 times the amount given in the DEIS. This means that the increase in CO2, rather than being 1.9% of the existing utility CO2 emissions, would be a 26% increase.

Coal Dust

The DEIS contains no analysis or modeling of the impacts of coal dust on local air quality or on employees or local residents, resulting from the cumulative impact of the proposed units and the existing coal-fired plants. This should be done.

WATER RESOURCE IMPACTS

Once Through Cooling

Cooling water intake structures cause adverse environmental impacts by pulling large numbers of fish and shellfish or their eggs into a power plant's cooling system. There, the organisms are killed or injured by heat, physical stress, and by the chemicals used to clean the cooling system, a phenomenon called "entrainment." Larger organisms are killed or injured when they are trapped against screens at the front of an intake structure, a phenomenon called "impingement." WE proposes to use once through cooling for the three new electric generating units it is seeking to build at the Oak Creek Power Plant. The result is that the new units are projected to use approximately two billion gallons of water per day, every day, for the next 50 years.

It can be expected that, as a result, the new generating units will kill tens of millions of aquatic organisms – including adult and juvenile fish, shellfish, larvae, eggs and other organisms – annually. The DEIS identifies the problem [at pages 206-07] but reflects WE's failure to provide any comprehensive analysis or evaluation of the ecological significance of these impacts to our environment. Instead, the agencies need to go back to the drawing board, require WE to provide all of the necessary data and information, and then take a closer look in an EIS at these impacts and the mitigating measures that can be imposed to prevent them.

The magnitude of fish deaths is directly related to intake volume. The more water WE uses, the more organisms they will kill. WE has proposed to use once

through cooling for its new units – a primitive technology that uses massive amounts of water and thereby wreaks maximum devastation on the aquatic environment.

In contrast, all power plants built in the last twenty years in this area of the country have used closed cycle cooling. In fact, since the passage of the Clean Water Act Amendments of 1972 only one unit at one power plant was proposed (in the early 1980s) with once through cooling. If the new units are built with the primitive once through cooling technology that WE has proposed, Oak Creek would be the largest once through cooling plant in the region.

Instead of once through cooling, WE should be required to use closed cycle cooling. Closed cycle cooling would reduce the amount of intake water, and the resulting impingement and entrainment of fish and other aquatic organisms, by 97% or more. WE should be required to provide all of the necessary information and analyses so that the EIS can evaluate closed cycle cooling technology as an option or compare the impacts of closed cycle cooling to the primitive once through cooling method. This is a significant deficiency in WEPCO's analysis and in the draft EIS that must be corrected through a supplemental analysis. In addition, the DEIS has not addressed in any detail proposed standards for "existing plants".

The DEIS considers only the once through cooling system proposed by WE for the ERGS. It is not at all clear that a once through cooling system will be approved by EPA. On page 94-95 the DEIS states that a coal-fired power plant will have more water flowing through it than a natural gas-fired plant, but that consumptive water use is greater for the gas-fired plant. This is dependent on the coal-fired plant using once-through cooling. While We Energies has applied to build a once-through cooled plant, the decision on whether or not this will be allowed will come from the Wisconsin DNR and the U.S. EPA. Have the agency staffs estimated the likelihood of once-through cooling being approved?

The alternative of a cooling tower must be considered to allow decision makers to make an informed decision between cooling towers and once through cooling. The DEIS must contain information about the alternative of using cooling towers. The purpose of the DEIS, to fully disclose environmental impacts and inform the public regarding the proposal and its alternatives, cannot be achieved without an analysis of the alternative of cooling towers.

Inadequate detail on water intake design

Moreover, another deficiency in the DEIS is that it lacks detail on the design of the water intake system. The proper design of the intake system is a critical component of the proposed project in avoiding or minimizing entrainment and impingement of Lake Michigan adult, juvenile, and larval fish, and fish eggs. The DEIS includes minimal information about the intake system. As currently described, it would consist of a timber crib or velocity caps and an intake channel. As stated, the future intake configuration would be dependent on the applicability of existing or proposed federal regulations.

There are many factors that must be included in the design of a high water volume intake system to avoid or minimize adverse impacts to the fish community due to entrainment and impingement. Mitigating measures include, but are not limited to, a low intake velocity of about 0.5 feet per second, use of wedgewire screening to exclude fish eggs and adult, juvenile and larval fish from being drawn in (or willfully swimming into) the intake system, and appropriate mesh size of the screening. In addition, intake siting considerations are necessary to determine appropriate depth and lake bed location to avoid a sensitive fish spawning area or other biologically sensitive area. Currently, the DEIS only states that the offshore intake system is proposed to extend into the lake 3,500 to 9,000 feet and that the depth of water at this location varies between 30 and 40 feet.

The final site will not be selected until the results of a two year environmental monitoring study are completed (September 2004).

The specific intake design and intake channel proposed should be fully described in the DEIS such that it can be reviewed by the resource agencies, non-governmental organizations, and the general public. The public should not have to depend on interacting in the WPDES system to get a chance to review the intake system details to insure that impacts to Lake Michigan fish are minimized. Currently, there is not enough information included in the DEIS for a credible review and it appears that the draft was released prematurely. Since, as stated, further decisions on applicable federal and state regulations are necessary before intake design details can be developed and disclosed, then a **revised DEIS** should be released prior to completion of the final EIS. This is further supported by the well known fact that once a selected alternative is presented in the final EIS, it is very difficult for the public to effectuate reevaluation of the selected alternative or otherwise make changes in the plan.

Thermal Discharge Impacts

Thermal pollution refers to the discharge of heated water to lakes and streams. The sudden increase in water temperatures in the area of the discharge kills aquatic organisms that are unable to adjust to quickly changing water temperatures, reduces dissolved oxygen in the water, and has other adverse impacts on aquatic ecology. Due to WE's proposal to use once through cooling, the Oak Creek Power Plant would place a significant thermal load on the area of Lake Michigan adjacent to the Plant.

The DEIS mentions the issue of thermal discharges [at pages 208-10] and presents an analysis that purports to show – by using a mixing model that is less conservative than the one that DNR generally recommends – that the thermal discharges from the new coal-fired units will meet DNR's thermal discharge standards. The analysis in the DEIS, however, does not take into account the cumulative impact of the thermal

discharge from the three new generating units and the thermal discharge from the existing generating units at Oak Creek. Instead, the DEIS discusses the thermal discharge from the proposed new SPCC units and separately discusses the thermal discharge from the proposed new IGCC unit. The DEIS does not analyze the cumulative impact of all three new units and the existing coal-fired generating units that are presently operating at the Oak Creek Power Plant. Thus, the analysis reflected in the DEIS is not even minimally adequate because it does not look at the cumulative impact of all the units on the thermal load imposed on this area of Lake Michigan.

Nor does the DEIS address the fact that the Wisconsin DNR is currently working on draft thermal discharge standards which would be applicable to the proposed units. In the absence of final state standards, the DEIS ought to at least discuss compliance with federal Clean Water Act thermal discharge standards.

SOLID WASTE ISSUES

The type of fuel that is used to produce electricity has a direct and significant impact on the amount of solid waste that is generated by the power plant. The benefits of natural gas over coal are enormous in this respect, since natural gas produces virtually no ash while coal generates tens of thousands of tons of ash per year The two new SCPC units that WE has proposed to construct at Oak Creek are expected to generate more than 200,000 tons of ash each and every year.

The DEIS acknowledges [at page 232] that WE does not yet have sufficient data to show that it will be able to sell or use of any of this ash or determine whether, as is likely, it will all have to be dumped in a landfill. Although the DEIS discusses the landfills that might be used to dispose of this ash in Southeastern Wisconsin, it fails to discuss the adverse environmental impacts of these disposal activities, such as the formation of toxic leachate and surface water runoff that will pollute groundwater and surface water in the vicinity of the landfills.

According to the DEIS [at page 229], it is contemplated that the ash will be hauled to the landfill by truck. No analysis is presented, however, of the adverse impacts of this truck traffic – and other vehicular traffic that will be associated with the new units – on local air quality and traffic congestion. Instead, the DEIS merely estimates the number of vehicular movements associated with the new plant without modeling their impact on local air quality or the level of transportation services provided by the existing road network.

Reburning flyash

The DEIS on page 230 indicates that by reburning existing flyash landfills, WE has gained additional space in the landfills. Where did the excavated material go to create the additional space? Flyash typically contains only a small amount of burnable fuel, typically around 300 BTU per pound. If the flyash is reburned, the volume combusted would be quite small, meaning that regained volumes would be quite small. If there are noticeable gains in space, that suggests the volume returned after reburning is significantly less than the volume excavated to be reburned. Where did that additional material (flyash) that was not returned to the landfill go? Did it escape through the stack (because the ash content per BTU of heat input increases substantially when flyash is blended into the fuel stream for reburning, but the particulate removal efficiency is the same)? The DEIS makes reburning flyash sound like a good thing, but doesn't address the effect doing so may have on air emissions and air related impacts.

CONCLUSION

Largely as a result of gaps and deficiencies in WE's application, SCSGG believes for the reasons stated above that the DEIS prepared by agency staff is inadequate, and needs to be redone and republished for public comment. In addition,

SCSGG has presented a number of comments regarding inadequacies, inconsistencies, and questions raised by the DEIS, which need to be addressed.

Very truly yours,

/s/
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cc: service list